

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Engineering Division
Honolulu, Hawaii 96813

April 25, 2008

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Request Authorization to Select Consultant(s) and Authorize the Chairperson to negotiate and execute agreements with consultant(s) and/or government agencies as necessary to implement Chapter 179D HRS, entitled the Dam and Reservoir Safety Act of 2007

Chapter 179D of the Hawaii Revised Statutes, authorizes the Board of Land and Natural Resources jurisdiction over dams and reservoirs in the state, to protect the health, safety, and welfare of the citizens of the State by reducing the risk of failure of the dams or reservoirs. In carrying out this chapter, the Board and its agents, shall cooperate, advise, consult, contract and enter into cooperative agreements with the United States government or any of its agencies, other state agencies, and the county governments or any of their agencies, or consultant(s) for the purposes of:

1. Conducting investigations, collection and monitoring of data and requiring of reports or studies, as may be needed for the proper review and study of various features of the design, construction, repair, removal, inspection, operation, maintenance, alteration, and enlargement of dams, reservoirs, and appurtenant works, including development that could affect stream runoff and the determination of ownership;
2. Establishing and implementing inspection program activities and enforcement activities;
3. Examining and approving or disapproving applications for construction, enlargement, repair, alteration, or removal of a dam or reservoir and applications for certificates of approval to impound;
4. Establish rules, policies, requirements, guidelines or standards governing the design, construction, operation, maintenance, enlargement, alteration, repair, removal, and inspection of dams, reservoirs, and appurtenance works;
5. Establishing a classification process for dams and reservoirs, including recommendations for which dams or reservoirs are to be removed from jurisdiction;
6. Cataloging and maintaining an inventory of all regulated dams and reservoirs in the State;
7. Establishing similar or consistent hazard potential classifications and classification processes in conjunction with other applicable state or federal guidelines;
8. Preparing, publishing, and issuance of printed pamphlets, bulletins, or advisories or conducting training as deemed necessary for the dissemination of information related to dam safety, including the preparation of annual reports;
9. Employing any necessary emergency remedial measures to protect persons and property in accordance with the Dam and Reservoir Safety Act of 2007;

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10. Providing guidance and training for employees, consultants, dam owners and operators, in the proper maintenance, inspection, and operation of dams and reservoirs, including creating, implementing and maintaining emergency action plans and warning systems for these dams and reservoirs.

Funds for the above referenced items shall utilize operational or other funds appropriated for the LNR 810 program, the Prevention of Natural Disasters.

RECOMMENDATION:

That the Board of Land and Natural Resources approve the following:

1. Authorize the Chairperson to select consultant(s), and negotiate and execute agreements with consultant(s), statewide to implement the Dam and Reservoir Safety Act of 2007.
2. Authorize the Chairperson to negotiate and enter into cooperative agreements, memoranda of understanding or other documents and support agreements to facilitate assistance with the United States government or any of its agencies, other state agencies, or the county governments or any of their agencies for activities related to implement the Dam and Reservoir Safety Act of 2007.
3. Request and authorize the retained consultant or government agency and its agents, employees, and consultants, to enter upon private property for the purposes of investigating or conducting directed activities related to implement the Dam and Reservoir Safety Act of 2007.

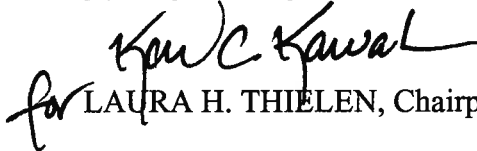
Respectfully submitted,



ERIC T. HIRANO

Chief Engineer

APPROVED FOR SUBMITTAL:



for LAURA H. THIELEN, Chairperson